

Remarks

Claims 1-15 remain pending in this application after entry of this paper. Claims 1 and 10 have been amended to more particularly point out the invention. More specifically, claims 1 and 10 have each been amended to recite the feature of allowing "multiple functions to be achieved from a single button on the transmitter wherein activation of the single button causes an unlock function when the transmitter is within the predetermined range and causes a locate function when the transmitter is outside the predetermined range." The invention is believed to be patentable, and Applicant addresses each rejection below.

Claims 1-3, 5 and 10-13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Iida (U.S. Patent No. 5,420,568). Iida only reduces the door unlocking signal receiving range and there is no function selection based on the range for a single signal. More specifically, Iida fails to anticipate the invention because Iida fails to describe "performing a first associated function if the transmitter is detected as being within a predetermined range, and a different function of the transmitter is detected as being outside the predetermined range." Further, Iida fails to describe allowing "multiple functions to be achieved from a single button on the transmitter wherein activation of the single button causes an unlock function when the transmitter is within the predetermined range and causes a locate function when the transmitter is outside the predetermined range." The noted subjected matter is recited by independent claims 1 and 10. Claims 2-3, 5 and 11-13 are dependent claims.

Claims 1-3, 5-7 and 10-15 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Snyder (U.S. Patent No. 6,101,428). Snyder fails to describe the specifically claimed combination including allowing "multiple functions to be achieved from a single button on the transmitter wherein activation of the single button causes an unlock function when the transmitter is within the predetermined range and causes a locate function when the transmitter is outside the predetermined range." This subject matter is recited by independent claims 1 and 10. Claims 2-3, 5-7 and 11-15 are dependent are dependent claims. Snyder does

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describe signal strength discrimination in a remote control system, but fails to describe the specific claimed combinations.

Claims 1-3, 5-7 and 10-15 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Lin (U.S. Patent No. 6,472,999). Lin only discusses determination of signal strength to permit differentiation between whether a requested function, conveyed via the transmit signal, will be performed or ignored. Lin fails to describe the specific combination including "performing a first associated function if the transmitter is detected as being within a predetermined range, and a different function if the transmitter is detected as being outside the predetermined range." Further, Lin fails to describe allowing "multiple functions to be achieved from a single button on the transmitter wherein activation of the single button causes an unlock function when the transmitter is within the predetermined range and causes a locate function when the transmitter is outside the predetermined range." The noted subject matter is recited by independent claims 1 and 10. Claims 2-3, 5-7 and 11-15 are dependent claims.

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Iida, Snyder or Lin in view of Nakaya (U.S. Patent No. 5,767,688) or Bartel (U.S. Patent No. 5,898,230). Claim 4 is a dependent claim and is also believed to be patentable.

Claims 6-7 and 13-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Iida in view of Boschini (U.S. Patent No. 5,600,323) or Flick (U.S. Patent No. 6,049,268). Claims 6-7 and 13-14 are dependent claims and are also believed to be patentable.

Claims 7 and 14-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Iida in view of Settles (U.S. Patent No. 5,933,074), Christie (U.S. Patent No. 6,285,296) or Robineau (U.S. Patent No. 6,512,462). Claims 7 and 14-15 are dependent claims and are also believed to be patentable.

Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Iida in view of Settles, Christie or Robineau and further in view of Priest (U.S. Patent No. 5,745,842). The Examiner relies on Priest as suggesting the use of FM deviation as recited by Claim 8. Priest only describes controlling operation of a portable or mobile battery-operated radio. Priest does mention FM frequency deviation but only in a particular application involving mobile battery-operated radios. There is no suggestion to use this technique in combination with various other features to achieve Applicant's invention. There is no suggestion in Priest that any of its teachings are usable in a wireless remote control system that allows multiple functions to be achieved from a single button on the transmitter. Because motivation to combine is lacking, claim 8 is believed to recite further patentable subject matter.

Claim 8 also stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Snyder further in view of Priest. Comments regarding Priest are given immediately above motivation to combine is lacking.

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Iida in view of Settles, Christie or Robineau and further in view of Zimmer (U.S. Patent No. 3,760,422). Claim 9 also stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Snyder further in view of Zimmer. With regard to Zimmer, Zimmer describes a remote control system for a locking device and discusses the use of the near radiation field such that actuation of the device will only occur when the operator is within a predetermined distance from the receiver. Accordingly, there is no suggestion that any teachings of Zimmer are usable in a wireless remote control system that allows multiple functions to be achieved from a single button on the transmitter and wherein the functions are performed depending on the range of the transmitter. For this reason, there is no motivation to combine Zimmer with other references to achieve the claimed invention including the subject matter further set forth in Claim 9. Claim 9 is believed to recite further patent subject matter because motivation to combine is lacking.

In summary, the claims are believed to be in condition for allowance.

Respectfully submitted,
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